

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JENNIFER VANG,

Plaintiff,

v.

Case No. 09-C-842

KOHLER CO., a domestic corporation,

Defendant.

**ORDER DECERTIFYING COLLECTIVE ACTION
AND SETTING BRIEFING SCHEDULE**

On December 17, 2012, the court conducted a status conference with counsel for the parties pursuant to its order dated September 10, 2012. Appearing on behalf of the plaintiff was attorney Larry Johnson, and appearing on behalf of the defendant were attorneys Kevin Kinney and Keith Kopplin. Pursuant to the parties' oral stipulation on the record, the court ordered that the collective action under the Fair Labor Standards Act be decertified. The plaintiff also orally withdrew her motion to certify a class pursuant to Federal Rule of Civil Procedure 23.¹

In addition, the plaintiff stated her desire to amend the complaint to add seven additional plaintiffs. The plaintiff also requested that the statute of limitations be tolled for these individuals. The defendant objected to these requests. Accordingly, the court set the following briefing schedule: the plaintiff's motion to amend and for other relief is due on or before December 28, 2012; the defendant's response is due on or before January 11, 2013; and the plaintiff's reply is due on or before January 16, 2013.

¹ The court has modified the case caption, above, to reflect these events.

NOW THEREFORE IT IS ORDERED that the collective action under the Fair Labor Standards Act be and hereby is **DECERTIFIED**;

IT IS FURTHER ORDERED that the plaintiff's motion to amend the complaint and for other relief is due on or before December 28, 2012; the defendant's response is due on or before January 11, 2013; and the plaintiff's reply is due on or before January 16, 2013.

SO ORDERED this 17th day of December 2012, at Milwaukee, Wisconsin.

BY THE COURT:

s/ William E. Callahan, Jr.
WILLIAM E. CALLAHAN, JR.
United States Magistrate Judge